

February 25, 2020 PLANNING COMMISSION MEETING

Call to Order: The meeting was called to order at 7:00 pm by Chair Craig VanMelle

Roll Call: Members present: Craig VanMelle, Rose Ann Wendt, Mike Krcatovich, Brian McCartney-Zoning Administrator, Catherine Kaufman- Township Attorney. Absent: Kurt Vanderscheer and Tammy Taylor

Pledge of Allegiance was recited.

Approval of the Agenda: Rose Ann Wendt made a motion supported by Mike Krcatovich to approve the Agenda for February 25, 2020. Motion passed.

Minutes: Rose Ann Wendt made a motion supported by Mike Krcatovich to approve the minutes of January 28, 2020. Motion passed.

Old Business:

- a. Attorney Kaufman began by explaining to Mr. Koshar that it would be up to the township board to approve or disapprove his request for the rezoning and that after discussion with the planning commission, any of the listed uses under the C-1 could be used with an approved rezoning. An option for a conditional rezoning was then discussed that would limit the types of uses that the property could be marketed for. It would be like a contract drawn up by the township attorney and if not followed through in a certain amount of time, could revert back to its original use. Attorney Kaufman explained to Mr. Koshar that the planning commission could not request him to do that, but he could reconsider his first application and request the conditional re-zoning. After discussion with the planning commission, it was of agreement that limiting the number of uses seemed more favorable. Mr. Koshar asked the commission to hold off on a decision until he had time to meet with Brian McCartney to discuss the conditional zoning. Attorney Kaufman said the planning commission would need to have another public hearing and notice the area, if he desired to change his request to conditional. He would also need to note which allowed uses he would wish to include in his request. Mr. Koshar will meet with Brian soon to review and discuss his options going forward.
- b. The next discussion was Mr. Koshar's desire to allow tiny houses in a portion of Aspen Acres. It appears that if Mr. Koshar would be willing to put a PUD subdivision together there may be an option for allowing tiny houses to be built in a certain designated area of his Aspen Acres development. He will again discuss this further with Zoning Administrator Brian McCartney.
- c. An update was given with regards to Air BnB's. Attorney Kaufman said a workgroup is trying to come up with a new set of standards for allowing or disallowing the ability to use your home for short term rentals. This group will then advise the state on how to proceed, and contains member of the for and against allowing them. Several residents were in attendance both for and against allowing them to be allowed. Attorney Kaufman said that by state statutes Short term rentals in residential neighborhoods are not allowed, as they are viewed as commercial businesses. John and Layla Groleau of 4119 Wildwood were in attendance. They are the current owners of the home in Wildwood that raised the question about whether short term rentals were an acceptable use in the township. The association for Wildwood said their covenants restrict the use of a home for short term rental use. Attorney Kaufman said that each case has presented a different situation and that Judges have allow and disallowed them in court case rulings. The hope is the State of Michigan will soon offer a ruling with regards on how to proceed with short term rentals around the state. In the meantime, each case needs careful review with regards to enforcement.
- d. Attorney Kaufman presented some ideas with regards to updating our current noxious weed ordinance. Rose Ann suggested that we consider doing a revision as county living presents many different types of foliage and the sample ordinance that she provided was very specific. We will continue the dialogue at our next month's meeting.
- e. We discussed the format for finishing up the Master Plan. The industrial zoning was discussed and it was determined that new language in the current plan may work. It centered on the idea that current industrial type businesses need to be recognized as non conforming uses. It was

also discussed that once the last changes are made, we need to have an attorney review the changes and then hold a public hearing before recommending to the board that they adopt the changes to the plan.

New Business

- a. Mike Nyhoff presented plans for his new development. This will be a preservation type development, which has 51% nature land and 49% developed land. He will continue to refine his plans before final submission to the planning committee. The Planning Commission and Attorney Kaufman, thought the overall first design met the criteria for this type of development.

Zoning Board of Appeals/Zoning Administrator Reports

NA

Open Discussion on Non-Agenda Items/Public Comment

- a. Layla Groleau 4119 Wildwood, discussed her feelings about the short term rentals. They feel like a bit of a target for the objections since there are other short term rentals occurring currently in the township. They are however under the Wildwood subdivision covenants, which don't allow for uses other than as a single family home. They are hoping for some state resolution soon.

Adjournment:

Adjournment by acclamation at 8:32 pm

Respectfully submitted
Tammy Taylor, Secretary